

PHARMACY BOARD[657]

Notice of Intended Action

**Proposing rule making related to interim pharmacists
and providing an opportunity for public comment**

The Board of Pharmacy hereby proposes to amend Chapter 8, “Universal Practice Standards,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 155A.13.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 155A.13.

Purpose and Summary

The proposed amendment provides for the identification of an interim pharmacist in charge in situations when the permanent pharmacist in charge is not vacating the position but is out of the pharmacy on an extended leave of absence (e.g., medical or parental leave). The pharmacy would be able to notify the Board, on forms provided by the Board, of the interim pharmacist in charge. However, neither a pharmacy license application nor a permanent change of the pharmacy license would be required.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 657—Chapter 34.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on August 31, 2021. Comments should be directed to:

Sue Mears
Board of Pharmacy
400 S.W. 8th Street, Suite E
Des Moines, Iowa 50309
Email: sue.mears@iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental

subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Adopt the following **new** subparagraph **8.35(6)“d”(4)**:

(4) If a permanent pharmacist in charge is out of the pharmacy for an extended leave of absence of no more than 90 days, the pharmacy may identify an interim pharmacist in charge and provide notice of such to the board on forms provided by the board. Identification of an interim pharmacist in charge shall not require submission of a new pharmacy license application and shall not result in a permanent change in pharmacist in charge on the pharmacy license. If a permanent pharmacist in charge is out of the pharmacy for an extended leave of absence greater than 90 days, the pharmacy shall initiate a change of pharmacist in charge in accordance with this rule.